

Notice of Allowability

Application No.

10/099,742

Examiner

Scott E. Jones

Applicant(s)

VANCURA, OLAF

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the request for consideration filed January 27, 2005.
2. ☒ The allowed claim(s) is/are 1-5, 7-12, 15-21, 24, 25, 28 and 29.
3. ☒ The drawings filed on 19 July 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 01272005
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on January 27, 2005 has been entered.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert C. Dorr, Reg. No. 27,782, on February 28, 2005.

The application has been amended as follows:

- In claim 7, line 12, delete "casino bonus game," and insert --underlying game on the gaming machine,--.
- In claim 7, line 13, delete "know how to".
- In claim 7, line 14, delete "know how to".
- In claim 10, line 2, delete "frame" and insert --period--.
- In claim 11, line 2, delete "frame" and insert --period--.
- In claim 12, line 3, delete "frame" and insert --period--.
- In claim 18, line 1, insert --feature-- after "bonus".
- In claim 19, line 2, insert --feature-- between "bonus" and "animated".

Art Unit: 3713

- Cancel claim 22.
- In claim 25, delete lines 13-15 and insert --the delivered bonus award is independent of the play of the underlying game on the gaming machine.--.
- In claim 28, line 13, delete “know how to”.
- In claim 28, line 15, delete “know how to”.

3. The following is an examiner’s statement of reasons for allowance:

The instant invention is deemed to be an unobvious improvement over the cited prior art.

The improvement comprising providing a hidden bonus feature in a casino bonus game to further the award to a player in a surprise fashion without providing any instruction on how to play the hidden bonus feature on the face of the machine or in any help instructions for play of the casino bonus game.

In particular, the prior art lacks disclosing, teaching, or fairly suggesting providing a hidden bonus feature in the touch screen to the player in the play of the casino bonus game, the casino bonus game during said play not disclosing information on the gaming machine to the player as to when the hidden bonus feature is provided and how the player is to respond to the hidden bonus feature as similarly recited in independent claims 1, 7, 17, 25, and 28 (*Emphasis Added*).

The closest prior art, Claypole et al. (G.B. 2,262,642 A), discloses a gaming machine having a secret feature wherein the feature is triggered randomly via a combination of symbols obtained on the reels of the gaming machine. The specific combination and the existence of the secret feature are not indicated on the gaming machine panel at all, however, a non-explanatory sign, such as a light, appears on display screen (15) and would therefore tip off a very experienced player that something special was happening. An award is provided based on a correct sequence of inputs made by the player in the game after the secret feature is triggered.

Art Unit: 3713

Lemons, Cherries and Bell Fruit Gum (Mills Mystery Bell) by Bueschel teaches of a mystery slot machine that occasionally pays 3 coins instead of 2, 5 coins instead of 4, and 10 coins instead of 8 and makes the players ask questions about “Why does the machine do this?” “How is it made?” “Will it always work this way?”, etc. Although Bueschel may contemplate not disclosing when a bonus is provided (however the player does know a bonus is provided when obtaining the award after pulling the slot machine handle and the reels come to a complete stop), Bueschel does not disclose responding to the hidden bonus feature (bonus award). That is because a response to the bonus is not required to obtain the bonus award.

These statements are not intended to necessarily state all of the reasons for allowance or all the details why the claims are allowed and should not imply that all the reasons for allowance have been set forth.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (571) 272-4438. The examiner can normally be reached on Monday - Thursday, 6:30 A.M. - 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3713

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Scott E. Jones
Examiner
Art Unit 3713

sej

A handwritten signature in black ink that reads "Scott E. Jones". The signature is written in a cursive style with a large, stylized "S" and "J".